

- 2) A set of photographs documenting experiments conducted on lath manufactured according to Jaenson's patent and lath manufactured according to this invention. These experiments aimed at evaluating the flexibility of these laths.

1) ICC Evaluation Service Report

The "Davis Wire Corporation" located in Irwindale California has acquired the Jaenson Wire Corporation and now owns the rights to produce the Jaenson lath. The Davis Wire Corporation and its subsidiary the Jaenson Wire company occupy the same location at 5555 Irwindale Avenue, Irwindale California. Please note that the street address assigned to the Jaenson Wire Company in the report should be 5555 Irwindale Avenue the same as the Davis Wire address, and not 555 Irwindale Avenue as stated in the report. This fact can be verified by calling the Jaenson Company at 626-633-0052.

The Davis Wire Corporation markets the Jaenson lath and ships it in sheets, not in rolls. This information can be obtained from a report issued by the ICC Evaluation Service Inc. an independent and non-profit organization. A description of ICC's mission can be obtained from its web site located at www.icc-es.org:

"ICC-ES is the United States' leader in evaluating building products for compliance with code. A nonprofit, public-benefit corporation, ICC-ES does technical evaluations of building products, components, methods, and materials. The evaluation process culminates with the issuance of reports on code compliance, which are made available free of charge to code officials, contractors, specifiers, architects, engineers, and anyone else with an interest in the building industry and construction."

This report describing the Jaenson lath produced by the Davis Wire Corp, can be found as the appendix to this supplemental amendment. Paragraphs 2.2.1 through 2.2.8 of the report are not directly relevant but are still of interest. These paragraphs

describe woven lath products that the Davis Wire Corporation manufactures and ships in rolls. These products are not comparable with our invention which describes a welded lath, however they are interesting because they establish a comparative baseline for shipping lath in rolls as shall be explained below. The welded lath product manufactured by Davis Wire Corp. is named “Best-Lath ‘D’ Welded Wire Fabric Lath.” It is described in paragraph 2.2.9 line 16 through 19. This passage states:

“The [Davis] lath is available in sheet form and is 28 to 38 inches (711 to 965 mm) by 104 inches (2642mm) long. This sheet as fabricated provides 96 inches (2438mm) of horizontal coverage.”

It is therefore concluded that the Davis Wire Corporation is shipping its welded lath product in sheets even though other (woven) products from the same company are shipped in rolls. Given the greater economy that shipping in rolls represents, this is proof that, because of the poor flexibility of their product, the Davis Wire Company has not found an economical way of shipping their welded lath in rolls without damaging it. Our invention, a welded lath, sold under the trade name Structa Wire is easily shipped in rolls without being damaged.

2) A set of photographs documenting testing the lath’s relative flexibility

Experiments were conducted on laths built by Davis Wire Corp. according to Jaenson’s patent and laths built by Structa Wire Corp according to this invention. The purpose of the experiments was to test their respective flexibility and their resistance to damage after being rolled. These laths were rolled into cylinders of about 12 inches in diameter and then unrolled. Photographs were taken of the lath before and after the roll test to document these experiments and to record incurred damage.

The first set of photographs documents the tests performed on the lath manufactured by the Davis Wire Corp. (Jaenson’s design)

Figures 1, 1a and 1b document the model number of the Davis lath that underwent the test. As can be seen from the photographs the lath was manufactured by Davis Wire and carries the name “Best-Lath” short for “Best-Lath ‘D’ Welded Wire Fabric Lath.”

Figure 2 provides a side view of the Davis Wire lath before they were rolled. The furring is clearly visible. The wires between the furrs are straight. Note that this lath features twin cross wires welded on opposite sides of the cross wires. This configuration increases the effective thickness of the lath and makes it more difficult to be rolled.

Figure 3 shows the Davis lath Best-Lath being rolled by the same coiler mandrel used to coil our own product built as described in our patent application. Unlike rolling it by hand, this machine produces tightly wound coils that are impeccably round. This also allowed us to compare the Davis Lath with any of our products as they are all coiled by either that same machine or one that is identical. The mandrel is motorized.

Figure 4 shows the Davis lath after the roll test. As it is evident, the lath has acquired a curvature and does not easily return to a flat shape. This is a first indication of its functional inflexibility.

Figure 5 provide a close up view of the Davis Lath after being rolled up. Notice the curvature in the cross-wires. This curvature of the wires has approximately the same depth as the furrs themselves, thus rendering the furrs ineffective.

Figure 6 show the Davis Lath after being forcibly unrolled. The furring structure is mostly obliterated. The wires are crooked. Clearly, the rolling process has been destructive to the Davis laths.

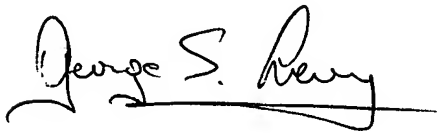
Figure 7 show the Structa wire in rolls. This lath is manufactured, rolled in the same

type of mandrel as used in the previous test and shipped in rolls so this is its initial state in the experiment. Notice that the longitudinal wires are on the same side of the cross wires. This configuration effectively decreases the thickness of the lath compared to the Davis lath.

Figure 8 shows the Structa wire after being unrolled. Note that the furr structure has been preserved and that the wires are not damaged.

Should the examiner desire any more information regarding the above facts we would be glad to provide them to her.

Respectfully Yours

A handwritten signature in black ink that reads "George S. Levy". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

George Levy

Patent Agent No. 53211